

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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WHITE LILLY, LLC and JONATHAN A.  
BERNSTEIN,

Plaintiffs,

-- Against --

BALESTRIERE PLLC, BALESTRIERE FARIELLO,  
JOHN BALESTRIERE, LAW OFFICES OF  
ADINA G. STORCH, PLLC,  
and ADINA STORCH,

Defendants.  
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Civil Action No:

18 CV 12404 (ALC)

**ORDER TO SHOW  
CAUSE FOR  
PRELIMINARY  
INJUNCTION**

**[REDACTED]  
[REDACTED]  
[REDACTED]**

Upon the reading and filing of: (a) the Complaint, dated January 2, 2019, and the annexed exhibits; (b) the declaration of Jonathan A. Bernstein, dated January 2, 2019, and the annexed exhibits; (c) the declaration of Samuel M. Leaf, dated January 2, 2019, and the annexed exhibits; and (d) Plaintiffs' supporting memorandum of law, dated Jan 2, 2019, it is hereby

ORDERED that the above named Defendants show cause before a motion term of this Court, at Room 1306, United States Courthouse, <sup>40 Foley Square</sup> ~~500 Pearl Street~~, in the City, County and State of New York, on January 11, 2019, at 11:30 o'clock in the a.m. ~~noon~~ thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Defendants during the pendency of this action from arbitrating or otherwise pursuing an arbitration, including the one now pending before the American Arbitration Association ("AAA"), styled *Balestriere Fariello vs. Desarrolladora Farallon S de RL de CV, Desarrollos Inmobiliarios Del Pedregal SA De CV*,

Juan Diaz Rivera, and Jonathan Bernstein, Case Number: 01-18-0003-5131, or any related claims against Plaintiffs; and it is further

~~ORDERED that, sufficient reason having been shown therefor, pending the hearing of Plaintiffs' application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the Defendants are temporarily restrained and enjoined from arbitrating or otherwise pursuing an arbitration, including the one now pending before the American Arbitration Association ("AAA"), styled *Balestriere Fariello vs. Desarrolladora Farallon S de RL de CV, Desarrollos Inmobiliarios Del Pedregal SA De CV, Juan Diaz Rivera, and Jonathan Bernstein*, Case Number: 01-18-0003-5131, or any related claims against Plaintiffs.~~

IT IS FURTHER ORDERED that service of a copy of this Order, along with the papers upon which it is based, shall be made upon defendants Balestriere PLLC, Balestriere Fariello, and John Balestriere, 225 Broadway, Suite 2900, New York, New York, 10007, on or before January 7, 2019, ~~4:00 pm~~ <sup>5:00 pm</sup>, by overnight mail and such service shall be deemed good and sufficient.

IT IS FURTHER ORDERED that service of a copy of this Order, along with the papers upon which it is based, shall be made upon defendants Law Offices of Adina Storch, PLLC and Adina Storch, c/o Cedar Realty Trust, 44 South Bayles Avenue, Port Washington, New York 11050, on or before January 7, 2019, ~~at 4:00 pm~~ <sup>at 5:00 pm</sup>, by overnight mail and such service shall be deemed good and sufficient.

IT IS FURTHER ORDERED that service of a copy of this Order, along with the papers upon which it is based, shall be made upon defendants Law Offices of Adina Storch, PLLC and Adina Storch, c/o Cedar Realty Trust, 44 South Bayles Avenue, Port Washington, New York 11050, on or before January 7, 2019, ~~at 4:00 pm~~ <sup>at 5:00 pm</sup>, by overnight mail and such service shall be deemed good and sufficient.

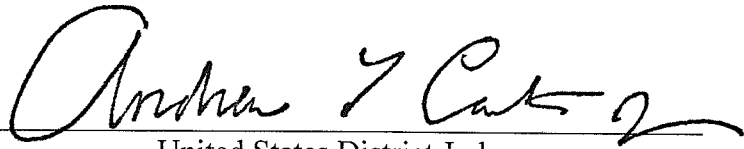
IT IS FURTHER ORDERED that service of a copy of this Order, along with the papers upon which it is based, shall be made upon the American Arbitration Association, ATTN: Rafael Carlos del Rosal Carmona, LL.M., International Case Counsel, International Centre, 120 Broadway, 21<sup>st</sup> Floor, New York, NY 10271, on or before January 7, 2019, <sup>at 4:00pm. 5:00pm</sup> by overnight mail and such service shall be deemed good and sufficient.

Any responsive papers in opposition to the Order to Show Cause be served and filed by January 9, 2019.

Any reply papers in further support of the Order to Show Cause be served and filed by January 10, 2019.

DATED: New York, New York

ISSUED: January 7, 2019

  
United States District Judge